



PATENT

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventor(s): ANDREW C. HIATT and FLOYD ROSE

For (title): ENZYME CATALYZED TEMPLATE-INDEPENDENT CREATION OF  
PHOSPHODIESTER BONDS USING PROTECTED NUCLEOTIDES

## 1. Type of Application

This new application is for a(n):

- ☒ Original  
☐ Design  
☐ Divisional  
☐ Continuation  
☐ Continuation-in-part (CIP)

## 2. Benefit of Prior U.S. Application(s) (35 USC 120)

☒ None

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed there are being deposited with the United States Postal Service on this date, September 1, 1994, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number TB597031974 US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

KIM ARNOLD-CABELLO

(Type or print person mailing paper)

K. Cabello

(Signature of person mailing paper)

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3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

57 Pages of Specification  
6 Pages of Claims  
1 Pages of Abstract  
4 Sheets of drawing  
    \_\_\_ formal  
    X informal  
    \_\_\_ in triplicate

4. Additional papers enclosed

\_\_\_ Preliminary Amendment  
\_\_\_ Information Disclosure Statement  
\_\_\_ Form PTO-1449  
\_\_\_ Citations  
\_\_\_ Declaration of Biological Deposit  
\_\_\_ Authorization of Attorney(s) to Accept and Follow Instructions from Representative  
\_\_\_ Special Comments  
X Other  
    PETITION TO MAKE SPECIAL AS SMALL ENTITY AND RECOMBINANT DNA BIOTECH APPLICATION, DECLARATION OF ANDREW C. HIATT IN SUPPORT OF PETITION TO MAKE SPECIAL AS SMALL ENTITY AND RECOMBINANT DNA BIOTECH APPLICATION and VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS

5. Declaration or oath

X Enclosed  
    executed by (check all applicable boxes)  
    X inventor(s).  
    \_\_\_ legal representative of inventor(s). 37 CFR 1.42 or 1.43

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\_\_\_ joint inventor or person showing a  
proprietary interest on behalf of inventor  
who refused to sign or cannot be reached.

\_\_\_ this is the petition by 37 CFR 1.47 and  
the statement required by 37 CFR 1.47 is  
also attached. See item 13 below for  
fee.

\_\_\_ Not enclosed.

\_\_\_ Application is made by a person authorized  
under 37 CFR 1.41(c) on behalf of all the  
above-named inventor(s). The declaration and  
oath, along with the surcharge required by 37  
CFR 1.16(e) will be filed subsequently.

#### 6. Inventorship Statement

The inventorship for all the claims in this application are:

X the same

or

\_\_\_ not the same. An explanation, including the  
ownership of the various claims at the time the  
last claimed invention was made,

\_\_\_ is submitted.

\_\_\_ will be submitted.

#### 7. Language

X English

\_\_\_ non-English

\_\_\_ the attached translation is a verified  
translation. 37 CFR 1.52(d).

#### 8. Assignment

X An assignment of the invention to ROSE HIATT  
BIOTECHNOLOGY PARTNERSHIP

X is attached.

\_\_\_ will follow.

Kindly record this assignment. The recordal fee is submitted herewith.

9. Certified Copy

Certified copy(ies) of application(s)

(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)

from which priority is claimed

- \_\_\_ is(are) attached  
\_\_\_ will follow.

10. Fee Calculation

A. \_\_\_ Regular Application

CLAIMS AS FILED							
Number Filed		Number Extra		Rate		Basic Fee	
Total						\$710.00	
Claims	38 - 20 = 18		X	\$ 22.00		\$396.00	
Independent							
Claims	4 - 3 = 1		X	\$ 74.00		\$ 74.00	
Multiple dependent claim(s), if any					\$230.00		

- \_\_\_ Amendment cancelling extra claims enclosed.  
\_\_\_ Amendment deleting multiple dependencies enclosed.  
\_\_\_ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$1,180.00

B. \_\_\_ Design Application  
(\$280.00 - 37 CFR 1.16(f))

Filing Fee Calculation \$\_\_\_\_\_

11. Small Entity Statement(s)

X Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of A or B above) \$590.00

12. Request for International-Type Search (37 CFR 1.104(d))

       Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made At this Time

       Not Enclosed

       No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

X Enclosed \$           

X basic filing fee \$590.00

X recording assignment (\$40.00; 37 CFR 1.21(h)(1)) \$ 40.00

       petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$140.00; 37 CFR 1.47 and 1.17(h)) \$           

       for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$           

       processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(1)) \$           

       fee for international-type search report (\$35.00; 37 CFR 1.21(e)) \$           

X fee for petition to make application special \$130.00

Total fees enclosed \$760.00

14. Method of Payment of Fees

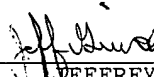
- ☒ Check in the amount of \$ \_\_\_\_\_
- ☐ Charge Account No. 12-2475 in the amount of \$ \_\_\_\_\_. A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 12-2475.
- ☒ 37 CFR 1.16(a) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

16. Instructions As To Overpayment

- ☒ credit Account No. 12-2475.
- ☐ refund



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